

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL MACLEOD, et al.,

Defendants.

CASE NO. CR06-0213-JCC

ORDER

This matter comes before the Court on the government's motion to dismiss the indictment without prejudice. (Dkt. No. 136.) As noted by the government, Defendants Daniel MacLeod, Ricky Clark, Richard Gow, and Kimberly Rouse were indicted for possession of marijuana with the intent to distribute, and conspiracy to distribute marijuana. (Dkt. No. 26.) Defendants Daniel MacLeod, Ricky Clark, and Richard Gow allegedly absconded after they were released on bond. (Dkt. No. 136 at 1–2.) The government believes that none of the three alleged absconders are in the country, and in fact has no information as to their current whereabouts. (Dkt. No. 136 at 1–2.) According, the government asks for leave under Federal Rule of Criminal Procedure 48(a) to dismiss the indictment without prejudice. The Court finds that the government is acting in good faith in making this motion. *United States v. Hayden*, 860 F.2d 1483, 1487 (9th Cir. 1988) (“If the district court finds that the prosecutor is acting in good faith in making its Rule 48(a) motion, it should grant the motion.”).

1 The Court GRANTS the government's motion, (Dkt. No. 136), and GRANTS the
2 government leave to dismiss the indictment without prejudice.

3 DATED this 18th day of June 2014.
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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE